

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CODY LEAVITT,
Petitioner,
vs.
DWIGHT NEVEN, *et al.*,
Respondents.

Case No. 2:12-cv-00987-JCM-CWH

ORDER

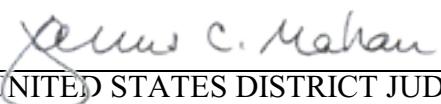
This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner represented by counsel. On October 15, 2013, petitioner, through counsel, filed an amended petition.

IT IS THEREFORE ORDERED that respondents shall have **forty-five (45)** days from entry of this order within which to answer, or otherwise respond to, the amended petition. In their answer or other response, respondents shall address all claims presented in the amended petition. Respondents shall raise all potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed, respondents shall comply with the requirements of Rule 5 of the Rules

1 Governing Proceedings in the United States District Courts under 28 U.S.C. §2254. If an answer is
2 filed, petitioner shall have **forty-five (45) days** from the date of service of the answer to file a reply.

3 **IT IS FURTHER ORDERED** that any state court record exhibits filed by the parties shall
4 be filed with a separate index of exhibits identifying the exhibits by number or letter. The hard copy
5 of all state court record exhibits shall be forwarded, for this case, to the staff attorneys in the **Reno**
6 division of the clerk of court.

7 Dated November 4, 2013.

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10 UNITED STATES DISTRICT JUDGE

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